

IN THE MATTER OF:

EDWARD FREMER, D.O.

Holder of License No. 2925 for the
practice of osteopathic medicine in the
State of Arizona.

STIPULATION AND CONSENT ORDER

RECEIVED

MAR 23 1998

ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

1. Respondent acknowledges that he has read this Stipulation and the attached Consent Order; and, Respondent is aware of and understands the content of these documents.

3. Respondent understands that this Stipulation and Consent Order will not become effective unless approved by the Board and signed by its Executive Director.

5. Respondent, for purposes of this stipulation, does not dispute the statement of facts and accepts the conclusions of law contained in the Stipulated Consent Order.

6. This stipulation is made by Respondent for final disposition of this matter and any subsequent administrative proceedings or litigation involving the Board, Respondent and the State of Arizona; and, therefore, this stipulation is not intended for any other purpose or administrative regulatory proceeding or litigation in another state or federal court.

7. This Stipulation and Consent Order does not prohibit the Board from taking further action if warranted pursuant to A.R.S. § 32-1855.C.

8. Respondent acknowledges and agrees that upon signing and returning this document (or a copy thereof) to the Board's Executive Director, he may not later revoke or amend this Stipulation or any part of the Consent Order, although said Stipulation has not yet been accepted by the Board and issued by its Executive Director, without first obtaining Board approval.

REVIEWED AND ACCEPTED this 19th day of March, 1998.

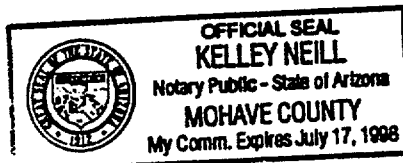
Edward Fremer, D.O.
Edward Fremer, D.O.

STATE OF ARIZONA)
) ss
County of Maricopa)

This instrument was acknowledged before me this 19th day of March, 1998 by the above-named individual.

Kelley Crenshaw
Notary Public *Kelley Neill*

My Commission expires:



REVIEWED AND APPROVED as to form by counsel for Respondent on this 20th day of
March, 1998.

421 West

REVIEWED AND APPROVED as to form by counsel for the State on this 25th day of
March, 1998.

Blair J. [Signature]

REVIEWED AND SIGNED this 25th day of March, 1998 for the Board by:

Ann Marie Berger
Ann Marie Berger, Executive Director
Arizona Board of Osteopathic Examiners in Medicine
and Surgery

**BEFORE THE ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

IN THE MATTER OF:)	Case Nos. 2188, 1847
)	
EDWARD FREMER, D.O.)	CONSENT ORDER
Holder of License No. 2925 for the)	
practice of osteopathic medicine)	
in the State of Arizona.)	
_____)	

FINDINGS OF FACT

1. Respondent is a licensee of the Board and the holder of License No. 2925 for the practice of osteopathic medicine in the State of Arizona.

2. The following Information was brought to the attention of the Board that Respondent may be medically and/or psychologically unable to safely and skillfully engage in the practice of medicine and may have committed one or more acts of unprofessional conduct as defined in A.R.S. § 32-1854:

a. On or about April 27, 1995 Respondent conspired with Kenneth Lopez to inflict physical harm to Jose H. Alvarez-Hernandez, M.D. Mr. Lopez tape-recorded a conversation with Respondent detailing the terms of the conspiracy. Respondent withdrew from the conspiracy that evening by calling Mr. Lopez on the phone.

CONCLUSIONS OF LAW

1. Pursuant to Arizona Revised Statutes § 32-1800, et seq., the Arizona Board of Osteopathic Examiners in Medicine and Surgery has subject matter and personal jurisdiction in this matter.

2. The Board has the authority to enter into a stipulated order for disciplinary action against a license, pursuant to A.R.S. § 41-1061(D) and A.R.S. § 32-1855.

3. The aforementioned conduct alleged against Respondent constitutes unprofessional conduct as defined at A.R.S. § 32-1854, subsections;

(19) Any conduct or practice contrary to recognized standards of ethics of the osteopathic medical profession.

(41) Any conduct or practice that impairs the licensee's ability to safely and skillfully practice medicine or that may reasonably be expected to do so.

ORDER

Pursuant to the authority vested in the Board, **IT IS HEREBY ORDERED THAT:**

1. Respondent is **CENSURED** for the unprofessional conduct as described herein.

2. Respondent's Board License Number 2925 for the practice of osteopathic medicine and surgery in the State of Arizona is hereby placed under **PROBATION** for five (5) years according to the terms and conditions of probation as set forth herein. That period may be shortened upon application by Respondent and approval by the Board. Respondent will not request any modification during the first year of probation.

3. Within forty-five (45) days of the date of this Order, Respondent will obtain a neuro-psychological examination by either a licensed psychiatrist and/or psychologist approved by the Board. After a review by the Board, Respondent will comply with any recommendation for treatment and/or counseling program. Respondent may obtain a second examination by a psychiatrist and/or psychologist approved by the Board, at his own cost. If treatment and/or counseling is required, Respondent will inform the Board by letter of the therapist's name; and, Respondent will undertake and fully cooperate with a program of treatment established by the

therapist. The therapist will be selected from a Board approved list. Respondent's therapist(s) will receive a copy of this Order and Board staff shall cooperate with Respondent's therapist(s). The treating therapist(s) will be directed by Respondent to send to the Board a detailed written progress report every month during treatment. Respondent will not discontinue or reduce the frequency of any recommended treatment and/or counseling sessions until he has submitted a written request to the Board and obtained Board approval.

4. Respondent, will waive any confidentiality concerning his neuro-psychological examination and /or psychotherapy and treatment solely in order that the Board will receive full disclosure of information. The expense of the aforementioned examination and/or therapy and the reports to the Board by Respondent's therapist will be the sole responsibility of the Respondent. The reports and their contents are not public information.

5. Respondent will provide a copy of this Order and any subsequent Orders to all facilities where Respondent is currently (or subsequently) employed as a physician and/or has (or subsequently receives) privileges to engage in the practice of medicine; and, Respondent will continue to make the aforementioned disclosure and provide copies of this Consent Order until the expiration of this Order.

6. Respondent will have his license to practice as an osteopathic physician restricted, suspended or revoked by the Board in the future if:

- (A) The Board finds that Respondent does not have the requisite mental, physical and emotional fitness to safely continue the practice of medicine; or,
- (B) There are new grounds for finding unprofessional conduct concerning Respondent; or,
- (C) Fails to comply fully with the terms and conditions of this Order.

7. Respondent will also, as part of his probation: (A) submit to and cooperate in any independent medical or psychological evaluation that is ordered by the Board for Respondent and conducted by the Board's designated physician and/or psychologist for new conduct or complaint which concerns the Board which will be paid for by Respondent; and (B) appear before the Board, upon receipt of a request by written or telephonic notification from the Board's executive director which will be given at least twenty (20) days prior to the Board meeting.

8. In the event Respondent ceases to reside in Arizona, he will give written notice to the Board of his new residence address within twenty (20) days prior to moving; and, the terms and duration of probation may be stayed by the Board until Respondent returns to Arizona.

9. Respondent will reimburse the Board for all expenses directly incurred in connection with the investigation, hearing and continued monitoring of this matter within thirty (30) days of receipt of a bill/statement of costs from the Board's Executive Director.

10. Respondent will continue to meet all licensing requirements such as continuing medical education and renewal requirements including applicable fees pursuant to A.R.S. § 32-1825. Respondent's failure to comply with the requirements of this Order shall constitute unprofessional conduct as defined at A.R.S. § 32-1854(26), as amended, and will be considered as grounds for further disciplinary action (e.g., suspension or revocation of license) in the event that Respondent fails to comply with any of the requirements of this Order.

ISSUED this 25th day of March, 1998.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: Ann Marie Berger
Ann Marie Berger, Executive Director
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Served by personal service or
sending U.S. certified mail
this 25th day of March, 1998 to:

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Marton & Hall, P.A.
817 N. 2nd Street
Phoenix AZ 85004-2017

Edward Fremer, D.O.
2000 Highway 95, #216
Bullhead City, AZ 86442

Copy mailed this 25th day of March, 1998 to:

Blair Driggs
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Phoenix AZ 85007

Terri Skladany
Assistant Attorney General
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Phoenix AZ 85007

Karen L. Pulley

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